

**From:** Les Fuchs  
**To:** Microsoft ATR  
**Date:** 11/23/01 12:23pm  
**Subject:** Comment on proposed settlement

Dear Sir or Madam:

Permitting Microsoft to settle its anti-trust conviction by allowing it to increase its monopoly influence is mind-boggling. I'm referring to the provision in the proposed settlement that would allow Microsoft to donate \$500,000 worth of hardware, software and training to public schools.

While this may seem altruistic on their part, it is actually an incredibly smart, if disingenuous, move to spread their Windows hegemony. There are two major problems with this proposal.

First, most recipients will opt for Wintel setups by virtue of the facts that Microsoft is willing to grant Windows licenses at little or no cost and that the vast majority of their software runs only on Windows hardware. This will hurt Apple and help Microsoft, exactly the opposite result that the Justice Department started out to rectify.

Which brings me to the second major problem. The government sued Microsoft because the company was engaging in monopolistic behavior to the detriment of other companies and, ultimately, the public. This aspect of the proposed settlement does nothing whatsoever to address the issue that originally prompted the lawsuit. It's as if a doctor suggested her patient change the oil in her car as a cure for the patient's cancer. The cure the Justice Department is willing to accept has nothing at all to do with the harm Microsoft does by its monopolistic behavior. In fact, it serves to further the harm rather than reduce it.

I respectfully request that this aspect of the proposed settlement be withdrawn by the Justice Department. If the Department cares at all about fashioning a just solution to the problem that it initially sought to correct, it will replace this remedy with one that addresses the issue of Microsoft's monopolistic behavior rather than being an accomplice in perpetuating it.

Yours truly,  
Les Fuchs  
3035 River North Pkwy.  
Atlanta, GA 30328